



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States Courthouse
300 Quarropas Street
White Plains, New York 10601*

January 8, 2020

BY ECF

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *United States v. Nicholas Tartaglione*, S4 16 Cr. 832 (KMK)

Dear Judge Karas:

The Government respectfully submits this letter in light of conflicting requests by members of the defense team in the above-referenced case. This morning, the Government received an email request from the defendant's retained counsel regarding the capital aspect of this case. That email did not include any of the defendant's learned counsel in the cc line. When responding to that request, the Government copied all counsel of record, including learned counsel. In response to the Government's email, retained counsel accused the Government of "interfering with Mr. Tartaglione's counsel's role and his choice of counsel" by copying all counsel of record on the email. Meanwhile, learned counsel asked that, pending resolution of the *Curcio* issue presently before the Court, the Government not proceed with the request by retained counsel. Retained counsel has since reiterated its request to the Government.

In light of these conflicting requests from members of the defense team, the Government respectfully requests a conference with the Court.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

By: /s/
Maurene Comey & Jason Swergold
Assistant United States Attorneys

Cc: Counsel of record (by ECF)